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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

TABIA LEE,

Plaintiff,

vs.

THE FOOTHILL-DE ANZA  
COMMUNITY COLLEGE DISTRICT,  
DE ANZA COMMUNITY COLLEGE,  
LLOYD A. HOLMES, in his official and  
individual capacity; PATRICK AHRENS,  
LAURA CASAS, PEARL CHENG,  
PETER LANDSBERGER, GILBERT  
WONG in their official capacity; AND  
ALICIA CORTEZ, THOMAS RAY,  
CHRISTINA ESPINOSA-PIEB, and  
LYDIA HEARN in their individual and  
official capacity,

Defendant(s).

Case No. 5:23-CV-03418-PCP

**STIPULATION FURTHER EXTENDING  
DATE OF FIRST CASE MANAGEMENT  
CONFERENCE DUE TO PENDING  
DISPOSITIVE MOTION TO DISMISS**

Initial CMC: February 22, 2024  
Time: 1 p.m.  
Judge: Hon. P. Casey Pitts  
Courtroom: 8, 4<sup>th</sup> Floor

In compliance with Judge Pitts' Standing Order For Civil Cases (Revised

November 13, 2023), Section VI, the parties in the above-captioned case, through counsel, submit

1 the following stipulation.

2 Defendants filed a Rule 12(b)(6) Motion to Dismiss (ECF No. 34) on October 12, 2023.  
3 The Motion to Dismiss was scheduled for hearing on January 18, 2024. On October 31, 2023, the  
4 parties filed a Stipulation Extending Date of First Case Management Conference Due to Pending  
5 Dispositive Motion to Dismiss. (ECF No. 40). The Court on November 1, 2023, rescheduled the  
6 initial Case Management Conference from November 16, 2023 to February 15, 2024, and  
7 extended the related meet and confer dates and filing of the ADR Certification to January 25,  
8 2024. (ECF No. 41). On November 8, 2023, the Court further rescheduled the initial Case  
9 Management Conference to February 22, 2024. (ECF No. 43.). Subsequently, the Court notified  
10 the parties on January 10, 2024 that it was vacating the January 18, 2024 Motion to Dismiss  
11 hearing date and would rule based on the motion and briefs. The Court's ruling is pending as of  
12 the date of this Stipulation.

13 Based on the foregoing, good cause exists for the parties' stipulation and request that the  
14 Court further move the initial Case Management Conference currently set for February 22, 2024,  
15 to a later date sufficiently after the Court's ruling on Defendants' Motion to Dismiss that provides  
16 the parties with sufficient time in advance of the Case Management Conference to complete their  
17 meet and confer obligations under FRCP 26(f), file an ADR Certification, and file their Joint Case  
18 Management Conference Statement. Independently, good cause exists to move the current  
19 February 8, 2024, date for the filing of the Joint Case Management Conference Statement to a  
20 later date. Plaintiff's lead counsel Michael T. Allen has a five-day trial which begins on February  
21 5, 2024 in the Southern District of Texas. No party will be prejudiced by the requested further  
22 extensions of time given the status of the case.

1 Dated: February 2, 2024

PLAZA DE JENNINGS & CHIPMAN LLP

2 By: /s/ Jayne Benz Chipman

3 Carmen Plaza de Jennings

4 Jayne Benz Chipman

5 Attorneys for Defendants

6 THE FOOTHILL-DE ANZA COMMUNITY COLLEGE  
7 DISTRICT, DE ANZA COMMUNITY COLLEGE, LLOYD A.  
8 HOLMES, PATRICK AHRENS, LAURA CASAS, PEARL  
9 CHENG, PETER LANDSBERGER, GILBERT WONG,  
10 ALICIA CORTEZ, THOMAS RAY, CHRISTINA ESPINOSA-  
11 PIEB, and LYDIA HEARN

12 Dated: February 2, 2024

ALLEN HARRIS PLLC

13 By: /s/Michael Thad Allen

14 Michael Thad Allen

15 Attorney for Plaintiff

16 TABIA LEE